
SENATE BILL No. 401

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-7.9; IC 27-8-14.9; IC 27-13-7-14.1.

Synopsis: Coverage of bone density testing. Requires group health coverage programs for state employees, group accident and sickness insurance policies, and group health maintenance organization contracts to provide coverage for bone density testing for a covered woman who is at least 45 years of age.

Effective: July 1, 2004.

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January 12, 2004, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 401

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-8-7.9 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2004]: **Sec. 7.9. (a) As used in this section, "bone density testing"**
4 **means a radiological or radioisotope procedure or other procedure**
5 **that is approved by the federal Food and Drug Administration and**
6 **performed for any of the following purposes:**

- 7 (1) Identifying bone mass.
8 (2) Detecting bone loss or disease.
9 (3) Determining bone quality.

10 **(b) As used in this section, "covered individual" means a woman**
11 **who is at least forty-five (45) years of age and who is:**

- 12 (1) covered under a self-insurance program established under
13 section 7(b) of this chapter to provide group health coverage;
14 or
15 (2) entitled to services under a contract with a health
16 maintenance organization (as defined in IC 27-13-1-19) that
17 is entered into or renewed under section 7(c) of this chapter.



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(c) A self-insurance program established under section 7(b) of this chapter to provide group health coverage must provide a covered individual with coverage for bone density testing.

(d) A contract with a health maintenance organization that is entered into or renewed under section 7(c) of this chapter must provide a covered individual with bone density testing.

(e) The coverage required by subsection (c) and the services required by subsection (d) may not be subject to dollar limits, deductibles, copayments, or coinsurance provisions that are less favorable to a covered individual than the dollar limits, deductibles, copayments, or coinsurance provisions applying to physical illness generally under the self-insurance program or contract with a health maintenance organization.

(f) The coverage for bone density testing required by subsection (c) and the bone density testing services required by subsection (d) must be provided in addition to any benefits specifically provided for x-rays, laboratory testing, or wellness examinations.

SECTION 2. IC 27-8-14.9 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]:

Chapter 14.9. Coverage for Services Related to Bone Density Testing

Sec. 1. (a) As used in this chapter, "accident and sickness insurance policy" means an insurance policy that:

- (1) provides at least one (1) of the kinds of insurance described in IC 27-1-5-1, Classes 1(b) and 2(a); and
- (2) is issued on a group basis.

(b) The term does not include accident only, credit, dental, vision, Medicare supplement, long term care, or disability income insurance.

Sec. 2. As used in this chapter, "bone density testing" means a radiological or radioisotope procedure or other procedure that is approved by the federal Food and Drug Administration and performed for any of the following purposes:

- (1) Identifying bone mass.
- (2) Detecting bone loss or disease.
- (3) Determining bone quality.

Sec. 3. As used in this chapter, "insured" means a woman who is at least forty-five (45) years of age and who is entitled to coverage under an accident and sickness insurance policy.

Sec. 4. (a) An insurer shall provide coverage for bone density testing for every insured in any accident and sickness insurance

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1 policy that the insurer issues in Indiana or issues for delivery in
2 Indiana.

3 (b) An insured may not be required to pay an annual deductible
4 or coinsurance for coverage for bone density testing that is greater
5 than an annual deductible or coinsurance established for similar
6 benefits under the accident and sickness insurance policy. If the
7 policy does not cover a similar benefit, the deductible or
8 coinsurance may not be set at a level that materially diminishes the
9 value of the bone density testing benefit required by this chapter.

10 (c) The coverage that an insurer must provide under this
11 chapter may not be subject to dollar limits, deductibles, or
12 coinsurance provisions that are less favorable to an insured than
13 the dollar limits, deductibles, or coinsurance provisions applying
14 to physical illness generally under the accident and sickness
15 insurance policy.

16 (d) The coverage that an insurer must provide under this
17 chapter is in addition to any benefits specifically provided for
18 x-rays, laboratory testing, or wellness examinations.

19 SECTION 3. IC 27-13-7-14.1 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2004]: Sec. 14.1. (a) As used in this section,
22 "bone density testing" means a radiological or radioisotope
23 procedure or other procedure that is approved by the federal Food
24 and Drug Administration and performed for any of the following
25 purposes:

- 26 (1) Identifying bone mass.
- 27 (2) Detecting bone loss or disease.
- 28 (3) Determining bone quality.

29 (b) A health maintenance organization that is issued a certificate
30 of authority in Indiana shall provide bone density testing to a
31 woman enrollee who is at least forty-five (45) years of age as a
32 covered service under a group contract that provides coverage for
33 basic health care services.

34 (c) The coverage that a health maintenance organization must
35 provide under this section may not be subject to a contract
36 provision that is less favorable to an enrollee than a contract
37 provision applying to physical illness generally under the health
38 maintenance organization contract.

39 (d) The coverage that a health maintenance organization must
40 provide under this section is in addition to services specifically
41 provided for x-rays, laboratory testing, or wellness examinations.

42 SECTION 4. [EFFECTIVE JULY 1, 2004] (a) IC 5-10-8-7.9, as

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1 added by this act, applies to a self-insurance program or a contract
2 with a health maintenance organization that is established,
3 amended, entered into, or renewed after June 30, 2004.

4 (b) IC 27-8-14.9, as added by this act, applies to an accident and
5 sickness insurance policy that is issued, amended, delivered, or
6 renewed after June 30, 2004.

7 (c) IC 27-13-7-14.1, as added by this act, applies to a health
8 maintenance organization contract that is issued, amended,
9 delivered, entered into, or renewed after June 30, 2004.

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